Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 910-01045-5800-058	Date: 7/22/10	Time: 0510 Hours	
Location: 450 Bauchet Street	City or Station: Los Angeles		
Bureau/Station/Facility: Twin Towers Correctional Facility	Admin. Investigation: YES ☐ NO ☒		
Type of Force: Significant Force / Chemical Agent (OC Spray) / Control Holds (Control Techniques, Takedown) / Personal Weapon (Hand, Knee, Feet) / Restraint Device (Handcuffs)			
Deputy Injury: YES ☒ NO ☐	Suspect Injury YES ☒ NO ☐		
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Grimaldi	Emp: [redacted]	IAB Roll Out: YES ☐ NO ☒

Involved Employee

E1

Employee #: [redacted]	Last Name: Banuelos	First Name: Thomas	Middle Name:
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: Twin Towers Correctional Facility	Work Assignment (Unit #, Module, etc.): 171 F/1
Shift: ☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 511 Weight: 180
☒ Injured ☒ Treated ☐ Admitted	Hospital: White Memorial Occupational Center	Coroner Case #:	Directed Force ☐ Significant Force ☒

E2

Employee #: [redacted]	Last Name: Talamera	First Name: Billy	Middle Name: J.
Sex: ☒ Male ☐ Female	Race: A	Unit of Assignment: Twin Towers Correctional Facility	Work Assignment (Unit #, Module, etc.): 171 F/2
Shift: ☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 509 Weight: 165
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #:	Directed Force ☐ Significant Force ☒

E__

Employee #:	Last Name:	First Name:	Middle Name:
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #:	Directed Force ☐ Significant Force ☐

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Arevalo	Blanca	R.	Sgt	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Gunn	Eric	J.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Gonzalez	David	A.

David A. Gonzalez
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: [redacted] — Date: 10.7.10

Blanca R. Arevalo
Supervisor Completing Form: (**Print Name**) — Emp #: [redacted] — Copy Provided to Employee by: — Emp #:

Anthony Ward
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: [redacted] — Date: 10/25/10

DISCOVERY Use Only
FO# 2274742

[illegible]
PPI 2274742

1-mini DV

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
910-01045-5800-058

Suspect Information

S 1

Last Name: Murray | First Name: Jonathan | Middle Name: Alvin

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: B | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 22 | Height: 510 | D.O.B. 01/15/86 | Weight: 200 | Armed? ☐

Booking #: 1552193 | Primary Charge Code: 187(a) P.C. | Secondary Charge Code: 69 P.C | Criminal History [redacted]

EMT in attendance? ☐ YES ☒ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Los Angeles County Medical Center | Coroner Case #: | Mental History ☒

By Doctor: Limas | Address: 1200 N. State Street Los Angeles, CA 90033 | Phone #: (323) 226-2622

Under Influence: ☐ YES ☒ NO Substance: | Mental Illness ☒

Suspect Interview

Date: 07/22/10 | Time: 0601 Hrs. | ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name

AKA Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO Substance: | Mental Illness: ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name

AKA Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO Substance: | Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
910-01045-5800-058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Singh	Porscha	R.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Inmate Murray	S#1	Deputy Banuelos	E#1	PH	LC	FA
Deputy Banuelos	E#1	Inmate Murray	S#1	PK	NN	NN
Inmate Murray	S#1	Deputy Banuelos	E#1	PH	CP	FA
Deputy Banuelos	E#1	Inmate Murray	S#1	PK	NN	NN
Inmate Murray	S#1	Deputy Banuelos	E#1	PH	NN	NN
Deputy Banuelos	E#1	Inmate Murray	S#1	PO	LC	FA
Inmate Murray	S#1	Deputy Talamera	E#2	PH	NN	NN
Deputy Talamera	E#2	Inmate Murray	S#1	OC	NN	NN
Inmate Murray	S#1	Deputy Talamera	E#2	PH	NN	NN
Deputy Talamera	E#2	Inmate Murray	S#1	PH	AB	HE
Inmate Murray	S#1	Deputy Talamera	E#2	PH	NN	NN
Deputy Talamera	E#2	Inmate Murray	S#1	TD	NN	NN
Inmate Murray	S#1	Deputy Banuelos	E#1	PH	NN	NN
Deputy Banuelos	E#1	Inmate Murray	S#1	TD	NN	NN
Inmate Murray	S#1	Deputy Talamera	E#2	PK	NN	NN
Deputy Talamera	E#2	Inmate Murray	S#1	PH	FR	FA
Inmate Murray	S#1	Deputy Talamera	E#2	PH	NN	NN
Deputy Talamera	E#2	Inmate Murray	S#1	PH	NN	NN
Inmate Murray	S#1	Deputy Talamera	E#2	PH	NN	NN
Deputy Talamera	E#2	Inmate Murray	S#1	CT	NN	NN
Inmate Murray	S#1	Deputy Talamera	E#2	RS	NN	NN
Deputy Talamera	E#2	Inmate Murray	S#1	RH	NN	NN
Deputy Banuelos	E#1	Inmate Murray	S#1	CT	NN	NN
Deputy Banuelos	E#1	Inmate Murray	S#1	RH	NN	NN

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Force Applied

SIGNIFICANT FORCE / CHEMICAL AGENT OLEORESIN CAPSICUM (OC SPRAY) / CONTROL HOLDS (CONTROL TECHNIQUES- TAKEDOWN) / PERSONAL WEAPON (HAND, KNEE, FEET) / RESTRAINT DEVICE (HANDCUFFS)

Incident Details

Inmate Jonathan Murray, Booking #1552193 was being housed at Twin Towers Correctional Facility, Module 171, cell B-14, a high observation mentally ill module. On the indicated date, Custody Assistant Porscha Singh, Employee #[redacted] and Deputy Thomas Banuelos, Employee #[redacted] were preparing inmates from Module 171 for court. Deputy Banuelos reached cell B-14 and opened the cell door to get Inmate Murray out for court. Although all inmates housed in Module 171 are handcuffed through the cell door tray slot, Deputy Banuelos was unable to handcuff Inmate Murray through the tray slot because he was a K-10 and needed to be waist chained with his hands to the side in order for Transportation Services Bureau to take custody of him.

Deputy Banuelos instructed Inmate Murray to step out of his cell so he could waist chain him, while Custody Assistant Singh stood by in the pod's dayroom. As Inmate Murray stepped out of his cell, Deputy Banuelos told Inmate Murray to tuck his shirt in, so he could waist chain him. Inmate Murray reached his right hand down to his waistband and pretended to follow Deputy Banuelos' instructions. Suddenly, Inmate Murray removed his right hand from his waistband and punched Deputy Banuelos in the face and yelled out, "Fuck this, homie!" The punch struck Deputy Banuelos on the bridge of his nose. Deputy Banuelos attempted to create some distance between himself and Inmate Murray in order to avoid being struck by kicking his right foot at Inmate Murray. Deputy Banuelos missed Inmate Murray's torso and his foot momentarily got caught in Inmate Murray's shirt. Inmate Murray took this opportunity to strike Deputy Banuelos once again on the left side of face.

Deputy Banuelos became disoriented momentarily. As he regained his bearings he took a step back and saw Inmate Murray advancing towards him with both hands clenched. Deputy Banuelos once again kicked his right foot towards Inmate Murray, striking him in the torso. Inmate Murray continued to advance and was slightly bent over at the waist with his head down and simultaneously swinging both of his fists at Deputy Banuelos. Fearing that Inmate Murray would strike him again, Deputy Banuelos pulled Inmate Murray by the back of the neck while striking him in the face with his right knee.

Although Deputy Banuelos was successful in striking Inmate Murray in the face with his right knee, Inmate Murray continued to swing both his fists at him. Deputy Billy Talamera, Employee #[redacted] who was in E-pod, heard a commotion coming from somewhere in the A-B-C side of the module. Deputy Talamera ran over to the other side of the module and saw Inmate Murray fighting with Deputy Banuelos.

Deputy Talamera immediately retrieved his Oleoresin Capsicum (O.C. spray) and deployed a single burst of approximately 2 to 3 seconds, striking Inmate Murray in the face. The O.C. spray had no effect on Inmate Murray and he continued to swing his fist towards Deputy Banuelos and him.

Deputy Talamera grabbed Inmate Murray's left shoulder and attempted to pull him towards the ground, but was unable to pull him down. In order to get Inmate Murray to stop his assaultive behavior and get him on the ground to gain control of him, Deputy Talamera opted to strike him once on the left side of his jaw with his right fist. Inmate Murray continued to violently swing his fists at both him and Deputy Banuelos.

Deputy Talamera grabbed Inmate Murray's left shoulder and Deputy Banuelos grabbed Inmate Murray by the right shoulder and pulled him back and off balance. Inmate Murray fell back and the right side of his face hit the floor. Custody Assistant Singh advised Facility Control that deputies were involved in a fight, via her hand held radio.

While on the floor, Inmate Murray continued to struggle. Both Deputies Talamera and Banuelos ordered Inmate Murray to stop fighting. Inmate Murray ignored their orders and began to kick his legs towards them and twist his body violently. During the struggle, Inmate Murray was able to roll onto his side and attempted to get up from of the floor by pushing off of one hand and swinging his fist with the other.

Inmate Murray continued to kick his legs and neither deputy was unable to gain control of him. Due to the fact they could not gain control of Inmate Murray and he continued to be assaultive, Deputy Talamera struck Inmate Murray twice with his fist on the right side of his jaw.

Inmate Murray rolled over onto his stomach and placed his hands underneath him. Both Deputies Talamera and Banuelos struggled to pull his arms from underneath him. Deputy Talamera was suddenly able to pull Inmate Murray's right arm from underneath him and gain control of it by placing a handcuff around Inmate Murray's right wrist. Deputy Banuelos was able to pull Inmate Murray's left arm from underneath him and he secured the handcuff around Inmate Murray's left wrist without further force.

Inmate Murray was escorted to the Tower One Clinic by Deputy Neil Farrell, Employee #[redacted] and Senior Deputy David Evans, Employee #[redacted] He was treated by Doctor Joon Choung, Employee #[redacted] and Nurse Voyra Chanim, Employee #[redacted] for his injury.

Inmate Murray was handcuffed for approximately an hour.

When I returned to Module 171, B-pod to interview any possible witnesses, I noticed Inmate Murray was back in his cell. As soon as Inmate Murray saw Deputy Banuelos, he became very excited. He began repeating, "I'm a lifer. I'm gonna hit you in your neck, nigga." As he was stating this, Inmate Murray was making a stabbing motion with his right hand to the left side of his neck.

Reported Use of Force by Involved Employee(s)

Deputies prepared written reports detailing their observations and actions which were consistent with their verbal notification to me following the incident.

Witness Interview(s)

WITNESS CUSTODY ASSISTANT PORSCHA SINGH'S #[redacted]

Custody Assistant Singh prepared a written report detailing her observations which were consistent with her verbal notification following the incident.

Custody Assistant Singh told me that she and Deputy Banuelos were in B-pod waist chaining inmates for court. She observed Deputy Banuelos open the door to cell #14 and order Inmate Murray to tuck in his shirt. Inmate Murray complied by stepping out of his cell and tucking in his shirt.

Custody Assistant Singh told me that without provocation, Inmate Murray shouted, "Fuck this homie!" and punched Deputy Banuelos once in the face. Deputy Banuelos attempted to kick Inmate Murray away, but missed. Custody Assistant saw Inmate Murray punch Deputy Banuelos once again in the face and Deputy Banuelos kick him in the torso.

Custody Assistant Singh told me Inmate Murray was very combative and continued to swing his fists at Deputy Banuelos. She heard Deputy Banuelos tell Inmate Murray several times to, "Stop fighting," but he ignored Deputy Banuelos' orders.

Custody Assistant Singh stated that Deputy Talamera arrived shortly and deployed his O.C. spray, but it had no effect on Inmate Murray. He continued swinging his fists at both deputies. She observed Deputies Banuelos and Talamera take Inmate Murray to the ground. Once on the ground, Custody Assistant Singh told me she saw Inmate Murray kicking at the deputies and twisting his body violently. Custody Assistant Singh broadcast over her portable radio that deputies were involved in a fight with Inmate Murray. Custody Assistant Singh did not observe any other use of force.

WITNESS INMATE [redacted] BOOKING [redacted]

I contacted Inmate [redacted] who is house in Module 171, B-pod, cell #16. I asked him if he could tell me what occurred. Inmate [redacted] told me, "I think it was Deputy Narabuelo (referring to Deputy Banuelos) and there was a couple other deputies, they tried to pull old Jonathan Murray out for court and it looked like he was not being cooperative. He was very combative."

I asked Inmate [redacted] what he meant by "combative." Inmate [redacted] told me, "He was argumentative." I asked him if he saw Inmate Murray assault deputies. He replied, "Yeah. I saw him swinging his arms, and I know that Deputy Narabuelo he came out and cut him in the eye. He was trying to calm him down, but he wasn't. He was resisting." Inmate [redacted] further added, "Deputy Smith had to try to grab him and subdue him. He had his arms subdued. He tried to keep talking to him and tried to calm him down, but he was that combative."

I asked Inmate [redacted] if he saw anything else. He told me, "They were trying to calm him down. They kept telling him, look just be cool. We want get you up. You need to just relax. Blah, blah, blah." I concluded my interview with Inmate [redacted]

I could not locate any other witnesses.

Suspect Interview(s)

Suspect Interview(s) Conducted By: ☒ Watch Commander ☒ Supervising Sergeant

INMATE JONATHAN MURRAY, BOOKING #1552193

Watch Commander, Sergeant David Gonzalez, Employee [redacted] and I, contacted Inmate Murray in a holding cell of the Tower One Clinic. Inmate Murray was sitting in a gurney with his hands handcuffed behind his back. Additionally, Inmate Murray had a mesh mask over his face to prevent him from spitting on personnel.

I asked Inmate Murray to tell me what occurred. Inmate Murray stated, "When I came out the door, you know what I'm saying? When they popped the door, you know what I'm saying? For court. I was hearing voices." Inmate Murray went on to tell me, "The voices told me to sock a deputy so, so I looked at the voices and I told them to sock a deputy. You know what I'm saying?" Inmate Murray then told me, "And then the deputy kicked me like a couple of times."

After he told me the deputy kicked him, Inmate Murray began to ramble on about his constitutional rights being violated. Sergeant Gonzalez had to interrupt Inmate Murray to get him to refocus on the incident.

Inmate Murray repeated himself over and over that a deputy kicked him several times and attempted to demonstrate how the deputy kicked him. Inmate Murray went on to add that Custody Assistant Singh pushed him back and the deputy continued to kick him. Inmate Murray told me, "Then after CA Singh pushed me back, you know what I'm saying? He kept kicking me and then I swung on him and then they tried to spray me a little bit. They didn't spray me cuz they didn't get me."

I asked Inmate Murray if he hit the deputy two times and he replied, "Yes, ma'am." I asked him if he knew where he struck the deputy and he replied, " No, I don't remember where I hit him."

I asked Inmate Murray if anything else and he replied, "No." I asked him if the deputies did anything else to him, and he replied, "Ah, yeah. They start punching me in my face, kicking me in my face, stomping me in my face."

Inmate Murray then began to ramble that his jaw was fractured and that he had two pins in his jaw. I asked him how he sustained the previous injury to his jaw. Inmate Murray told me he sustained it while in juvenile hall after assaulting a staff member and he broke his jaw.

I asked Inmate Murray if he recalled hearing deputies tell him to stop fighting and he replied, "Naw, the deputies didn't say nothing. They give me no warnings. No nothing." I asked Inmate Murray if he tried to hit the deputies while he was on the ground and he replied they did not. I asked him if he gave up and he said, "Yes. Yes, ma'am." I asked Inmate Murray if he had his hands underneath his body and he replied, "Yes, ma'am." I asked Inmate Murray if his hands were still underneath him even when the deputies tried to handcuff him and told him to give them his hands. He replied, "I was not resisting, ma'am." I asked him once again if his hands were underneath him and he replied, "Yes, ma'am." I asked him why his hands were underneath him and he told me because the deputies were "socking" him and kicking him. He additionally added his hands were underneath him because he fell on top of his hands. I asked Inmate Murray if the O.C spray struck him and he replied, "No, they did not hit me."

I asked Inmate Murray if his intentions that morning were to strike a deputy. He replied, "No it wasn't. No it wasn't. " I asked him if the voices told him to assault a deputy. He interrupted me and said, "The voices. Yes. I have a long history of mental illness." Inmate Murray went on to add that he was diagnosed with ADHD at the age of six and with being bi-polar at the age of twelve.

I asked Inmate Murray if he takes medication and he told me he did. I asked him if he took his medication today and he told me he did. He also explained when he gets a lower dose of his medication he becomes immune to it because he has been taking the medication since he was six years old.

Sergeant Gonzalez asked Inmate Murray if he was hurt. He told us his knuckle and his jaw were hurting. I asked him if his knuckle was hurt from hitting the deputy, but he did not reply. He told us once again he had two pins in his jaw. Sergeant Gonzalez asked Inmate Murray if his jaw had been broken before and he

replied, "Fractured sir." Sergeant Gonzalez asked Inmate Murray if he was hurt anywhere else and he replied, "No, ma'am. No, sir." We examined Inmate Murray's upper torso and we did not observe any other injuries to his torso. When we examined his knuckles we noticed a small abrasion on his left knuckle. Sergeant Gonzalez asked Inmate Murray if he had any injuries on his legs and he replied, "No, sir."

Prior to ending our interview with Inmate Murray, Sergeant Gonzalez asked Inmate Murray a bit more about the previous injury to his jaw. Inmate Murray told Sergeant Gonzalez he sustained a broken jaw after being involved in a fight with a staff member while in juvenile hall. He further added he had two pins in his jaw because of this incident. Sergeant Gonzalez asked Inmate Murray if he had sustained any other injury since then. Inmate Murray told Sergeant Gonzalez that his jaw was also injured when he assaulted Deputy Bou. Sergeant Gonzalez asked Inmate Murray if he had gotten into fights with deputies before and he replied, "Yeah." Sergeant Gonzalez asked him if he got into a fight with deputies then because of the voices he hears. Inmate Murray replied, "Yeah, it was the voices." Inmate Murray told us he hears the voices when his medication is not working. We concluded our interview with Inmate Murray.

Medical Review

Inmate Murray was taken to the Tower One Clinic by Deputy Neil Farrell, Employee #[redacted] He was treated by Nurse Vorya Chanim, Employee #[redacted] Nurse Chamin observed swelling to Inmate Murray's upper lip as well as redness and swelling to the left eyebrow. Nurse Chamin also noticed swelling to the right side of Inmate Murray's face and an abrasion to the right temple area. Nurse Chanim stated Inmate Murray's injuries were consistent with the reported force.

Nurse Chanin applied an ice pack to the right side of Inmate Murray's face and referred him to X-ray. A short time later, I was told by Doctor Chuung that Inmate Murray sustained a fracture to the zygomatic arch (cheekbone) and needed to go to L.C.M.C. for further treatment.

Inmate Murray was transported to L.C.M.C via radio car. He was seen by Doctor Limas who stated nothing could be done for Inmate Murray until the swelling went down. Doctor Limas did collaborate Inmate Murray's statement that he had a pre-existing injury to his jaw and he had pins connecting his jaw together. Doctor Limas was unable to determine if his jaw had completely healed from the previous injury or if the strikes to his face by Deputy Talamera and Deputy Banuelos caused the current injury.

Training & Tactical Review

☒ **Debriefing held to discuss training and tactical issues.**

I met with Deputies Banuelos and Talamera, and Custody Assistant Singh to discuss this incident. Prior to contacting the personnel involved, I contacted Transportation Bureau regarding their chaining policy for K-10's. I was told that they will not take into inmates who are waist chained to the rear because they can easily pick their handcuffs. I was told that with practice, it is possible to waist chain an inmate's hands to the side even through the tray slot. I relayed this information to the deputies involved and they stated they will familiarize themselves with this practice. I also discussed with personnel the importance of preparing only one pod at a time for court because it might have deterred Inmate Murray from attacking Deputy Banuelos if he would have seen more deputies inside the pod.

I spoke with Custody Assistant Singh and asked her why she did not assist Deputy Banuelos. She told me she was in shock because it was the first time she had been involved in a fight with an inmate since her

significant force incident last year when she broke her wrist. Custody Assistant Singh further added that things evolved so quickly and Deputy Talamera was there within seconds to assist Deputy Banuelos. Custody Assistant Singh assured me she will not hesitate next time she finds herself in the same situation. After a lengthy discussion with her, I am confident Custody Assistant Singh will not hesitate in her response to any force situation in the future.

I commended Custody Assistant Singh for using her hand held radio and informing Facility Control that deputies were involved in a fight. Although she momentarily hesitated, she was able to regain her composure and revert to her training.

I also commended Deputy Talamera for attempting to subdue Inmate Murray with O.C. spray and immediately recognizing that it had no effect on him. Both Deputy Talamera and Deputy Banuelos used only the force necessary to subdue Inmate Murray.

Watch Commander's Review

Findings
After reviewing the video tape and the documentation submitted with the force package, I concur with Sergeant Arevalo's conclusion that the force used by the deputies was objectively reasonable and fell within Department guidelines. Inmate Murray admitted that he alone instigated the incident because, " The voices" told him to hit Deputy Banuelos.

Conclusion
I strongly disagree with Transportation Bureau's opinion that waist chaining an inmate (with his hands to his sides) utilizing the tray slot, can be done safely. Deputy personnel would have to place their hands well inside the tray slot in order to secure the inmate. This procedure places the deputy in a dangerous position.

Recommendations
I recommend no further action be taken.

Case Status

Charges of 69PC / 243(c)(1) PC were filed against Inmate Murray on August 16, 2010.